

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Disciplinary action initiated against Sri Mohd. Shahabuddin, TPO (Retd), formerly Kukatpally Municipality for allowing deviations in sanctioned plans and failure to stop unauthorised constructions in Kukatpally Municipality – Enquiry conducted – Imposition of 3% cut in pension for a period of two years - Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.IV) DEPARTMENT.

G.O.Rt.No. 1160

Dated: 14 -10-2010
Read the following:

- 1) G.O.Rt.No.250, MA& UD (Vig.IV) Department, dated: 28.2.2005.
- 2) Written Statement of Defense of Sri Mohd. Shahabuddin, TPO. Kukatpally Municipality,
- 3) G.O.Rt.No.683, MA&UD (Vig.IV) Department, dated: 31-5-07
- 4) From Sri Janak Raj, IPS (Retd.) COI Letter No.391/ COI.JR/2007, 31-12-2008..
- 5) Govt.Memo.No.11666/Vig.IV./2010-1,dated:1-7-2010
- 6) Written representation of Sri Mohd. Shahabuddin, TPO dated:13-7-2010
- 7) Govt. Letter No. 11666/Vig.IV.1/2010, dated: 20-08-2010 addressed the Principal Secretary, APPSC., Hyderabad.
- 8) From the Principal Secretary APPSC, Hyderabad. Letter No.1209/RT-I/1/2010, dated 20.9.2010.

ORDER:-

Whereas, in the reference 1st read above, disciplinary action has been initiated by framing article of charges against Sri Mohd. Shahabuddin, TPO (Retd), Kukatpally Municipality along with others for allowing deviations in sanctioned plans and failure to stop unauthorised constructions in Kukatpally Municipality. Sri Mohd. Shahabuddin, TPO (Retd), Kukatpally Municipality has submitted his written statement defense to the charges framed vide reference 2nd read above.

2. Whereas, in the reference 3rd read above, Sri P.Janak Raj, IPS., (Retd.) Commissioner of Inquiries was appointed as Inquiring Authority to conduct a detailed enquiry into the matter. The Inquiring Authority after conducting detailed enquiry into the charges, submitted his Enquiry Report vide reference 4th read above, wherein, the Inquiring Authority held that the charge framed against Sri Mohd. Shahabuddin, TPO (Retd.) is proved.

3. Whereas Government after examining the matter, have provisionally decided to impose a punishment of 3% cut in pension for a period of two (2) years in terms of Rule 9 (2) of A.P.Revised Pension Rules, 1980.

4. Whereas, in the reference 5th read above, while enclosing a copy of the Enquiry Report, a Show Cause Notice under Rule 9 (2) of A.P. Revised Pension Rules, 1980, was issued to Sri Mohd. Shahabuddin, TPO (Retd) as to why the proposed punishment of 3% cut in pension for a period of two years should not be imposed on him.

5. In the reference 6th read above, Sri Mohd.Shahabuddin, TPO (Retd.) has submitted his representation, wherein he accepted the proposed punishment and requested the Government to release the pensionary benefits as early as possible. After careful examination of the matter, Government. have decided to confirm the provisional decision of imposing 3% cut in pension for a period of two (2) years.

(P.t.o)

6. In the reference 7th read above, the A.P.Public Service Commission has been consulted. In the reference 8th read above, the A.P.Public Service Commission, has conveyed the concurrence of the Commission to the above proposal.

7. After careful examination of the matter, Government hereby impose a punishment of 3% (three percent) cut in pension for a period of two (2) years, from the pension of Sri Mohd.Shahabuddin, TPO (Retd.) formerly Kukatpally Municipality.

8. The Director of Town & Country Planning, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.S.APPA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Mohd.Shahabuddin, TPO (Retd.)

Through: The Director of Town & Country Planning, Hyderabad.

Copy to:

The Director of Town & Country Planning, Hyderabad.

The Director-General, Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commissioner,

A.P. Vigilance Commission, Hyderabad

The Secretary, A.P. Public Service Commission, Hyderabad

The Principal Accountant General (A&E), A.P. Hyderabad.

SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER

Please see the notes of this Department at pages 5 – 6 ante and the letter received from the APPSC at P. cf.

This case relates to imposition of punishment of 3% cut in pension for period of two years in respect of Sri Mohd. Shahabuddin, TPO (Retd), formerly Kukatpally Municipality. The brief history of the case is asunder.

It is submitted that, basing on the ACB report and as per the advise of the APVC departmental action has been initiated by framing charges against Sri Mohd. Shahabuddin, TPO (Retd), formerly Kukatpally Municipality and 6 others vide G.O.Rt.No.250, MA dated 28.02.2005 on the allegations of for failure to stop the unauthorized constructions at Kukatpally Municipality.

After examining the WSDs and having not satisfied with the same orders were issued appointing Sri Janak Raj, IPS(Retd) as Inquiring Authority to inquire into the charges framed against the charged officer vide G.O.Rt.No.683, MA dated 31.5.2007 under sub-rule(2) of Rule 20 of APCS(CCA) Rules, 1991 to enquire into the charges against Sri Mohd. Shahabuddin, TPO (Retd), formerly Kukatpally Municipality and 6 others. The Inquiring Authority has conducted enquiry and submitted his report wherein he held that the charges framed against Sri Mohd. Shahabuddin, TPO (Retd), is held proved.

The nature of charge, WSDs of Charged Officers and findings of the Enquiry Officer are discussed at PP 264-270 at PP 73-78 of Nf.

The Inquiry Report has been examined in consultation with APVC and obtaining the orders in circulation in Para –289 on P-83 Nf. Further action has been dropped against Sri L.Vandan Kumar, the then Municipal Commissioner, Kukatpally and a minor punishment of stoppage of one increment without cumulative effect was imposed against (5) Charged Officers Viz., 1) Sri Michayel, TPO, 2) Sri Madanmohana Rao, 3) Sri K.Srinivas, TPO, 4) Sri N.Satyanarayana, TPBO and 5) Sri Mohd. Majeed Ali, TPBO vide G.O.Rt.Nos.

In respect of Sri Mohd.Shahabuddin, TPO (Retd) it has been provisionally decided to impose major punishment of 3% cut in pension for a period of 2 years. A Show Cause Notice under A.P.Revised Pension, Rules, 1980 has been issued to the retired officer for submission of his written explanation on the proposed punishment vide Govt.Memo No.11666/Vig.Iv.1/2010-1, dated 1.7.2010.

In pursuance of the SCN Memo dated 1.7.2010 Sri Mohd Shahabuddin, TPO(Retd) has submitted his written explanation to Govt, wherein he accepted the punishment proposed by the Govt. and requested the Govt. to release his pensionary benefits as early as possible as he was suffering financially since last 5 years from the date of his retirement from service.

In this connection, it is submitted that the A.P.P.S.C., who was consulted in the matter, has agreed with the proposal of the Government to impose a punishment of 3% cut in pension for a period of two (2) years on Sri Mohd.Shahabuddin, TPO (Retd.) and advised accordingly.

In view of the above, it is for consideration and orders, whether the punishment of 3% cut in pension for a period of two (2) years may be imposed against Sri Mohd.Shahabuddin, TPO (Retd.) , as the APPSC has also agreed with the said punishment.

Subject to orders, a draft Orders is submitted below for approval.